



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1368

Introduced 1/31/2023, by Rep. Dave Vella

SYNOPSIS AS INTRODUCED:

110 ILCS 916/20

Amends the Public Interest Attorney Assistance Act. Provides that if a participant in the Public Interest Attorney Loan Repayment Assistance Program has been an assistant Public Defender for at least 6 years in an office of an Illinois Public Defender, other than the Office of the Cook County Public Defender, and the participant graduated from a law school in this State, then the maximum amount of loan repayment assistance during the participant's career shall be equal to the full tuition cost charged the participant while attending that law school or \$30,000, whichever is greater (rather than a maximum of \$30,000 for any program participant).

LRB103 05941 RJT 50962 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Interest Attorney Assistance Act is
5 amended by changing Section 20 as follows:

6 (110 ILCS 916/20)

7 Sec. 20. Public Interest Attorney Loan Repayment
8 Assistance Program.

9 (a) The Commission shall establish and administer the
10 Program for the primary purpose of providing loan repayment
11 assistance to practicing attorneys to encourage them to pursue
12 careers as public interest attorneys to protect the rights of
13 this State's most vulnerable citizens or provide quality
14 enforcement of State law. The Commission shall create an
15 advisory committee composed of representatives from
16 organizations with relevant expertise, including one person
17 from each of the following entities:

18 (1) The Illinois State's Attorneys Association.

19 (2) An office of an Illinois Public Defender.

20 (3) An office of an Illinois public guardian.

21 (4) The Office of the Illinois Attorney General.

22 (5) An Illinois metropolitan bar association.

23 (6) An Illinois statewide bar association.

1 (7) A public law school in this State.

2 (b) The Public Interest Attorney Loan Repayment Assistance
3 Fund is created as a special fund in the State treasury. The
4 Fund shall consist of all moneys remitted to the Commission
5 under the terms of this Act. All money in the Fund shall be
6 used, subject to appropriation, by the Commission for the
7 purposes of this Act.

8 (c) Subject to the availability of appropriations and
9 subsections (d) and (e) of this Section, the Commission shall
10 distribute funds to eligible applicants.

11 (d) The Commission is authorized to prescribe all rules,
12 policies, and procedures necessary or convenient for the
13 administration of the Program and all terms and conditions
14 applicable to payments made under this Act. This shall be done
15 with the guidance and assistance of the Committee.

16 (e) The Commission shall administer the Program,
17 including, but not limited to, establishing and implementing
18 the following:

19 (1) An application process. Subject to the
20 availability of appropriations, the Commission shall, each
21 year, consider applications by eligible public interest
22 attorneys for loan repayment assistance under the Program.

23 (2) Eligibility requirements. The Commission shall, on
24 an annual basis, receive and consider applications for
25 loan repayment assistance under the Program if the
26 Commission finds that the applicant:

1 (i) is a citizen or permanent resident of the
2 United States;

3 (ii) is a licensed member of the Illinois Bar in
4 good standing;

5 (iii) has eligible debt in grace or repayment
6 status; and

7 (iv) is employed as a public interest attorney
8 with a qualifying employer in Illinois.

9 (3) A maximum amount of loan repayment assistance for
10 each participant, which shall be \$6,000 per year, up to a
11 maximum of \$30,000 during the participant's career.
12 However, if the participant has been an assistant Public
13 Defender for at least 6 years in an office of an Illinois
14 Public Defender, other than the Office of the Cook County
15 Public Defender, and the participant graduated from a law
16 school in this State, then the maximum amount of loan
17 repayment assistance during the participant's career shall
18 be equal to the full tuition cost charged the participant
19 while attending that law school or \$30,000, whichever is
20 greater.

21 (4) Prioritization. The Commission shall develop
22 criteria for prioritization among eligible applicants in
23 the event that there are insufficient funds available to
24 make payments to all eligible applicants under this Act.
25 The prioritization criteria shall include the timeliness
26 of the application, the applicant's salary level, the

1 amount of the applicant's eligible debt, the availability
2 of other loan repayment assistance to the applicant, the
3 applicant's length of service as a public interest
4 attorney, and the applicant's prior participation in the
5 Program.

6 (f) The distribution of funds available after
7 administrative costs must be made by the Commission to
8 eligible public interest attorneys in the following manner:

9 (1) Loan repayment assistance must be in the form of a
10 forgivable loan.

11 (2) To have the loan forgiven, the participant shall
12 (i) complete a year of employment with a qualifying
13 employer and (ii) make educational debt payments (interest
14 or principal or both) that equal at least the amount of
15 assistance received under the Program during the
16 assistance year.

17 (3) Each loan must be documented by means of a
18 promissory note executed by the borrower in a form
19 provided by the Commission and shall be forgiven when an
20 eligible participant meets the requirements set forth by
21 the Commission.

22 (Source: P.A. 96-615, eff. 1-1-10; 96-768, eff. 1-1-10.)